

Notice of Allowability

Application No.

09/964,611

Examiner

John S. Chu

Applicant(s)

OOHASHI ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/18/2004.
2. ☒ The allowed claim(s) is/are 4 and 5.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

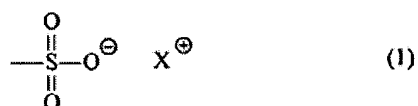
John S. Chu
Primary Examiner
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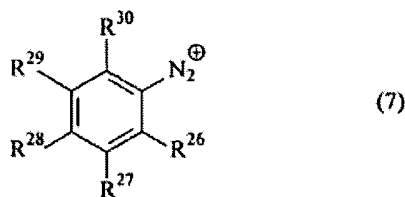
REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The claimed invention is drawn to the following:

5. (Previously Presented) A lithographic printing plate precursor comprising a support having a hydrophilic surface having provided thereon an image-forming layer containing a hydrophobic high molecular compound having at least either a functional group represented by formula (1) or a functional group represented by formula (2):

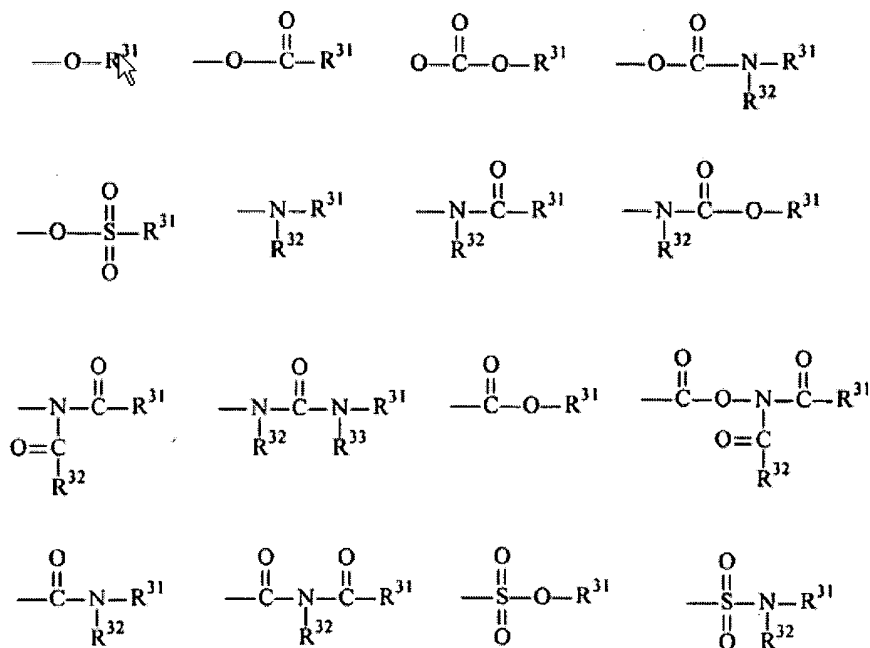


wherein X^{\oplus} represents an iodonium ion, a sulfonium ion or a diazonium ion represented by formula (7):



wherein R^{26} to R^{30} each represents a hydrogen atom, a halogen atom, a cyano group, a nitro group, an alkyl group, an aryl group, an alkynyl group, an alkenyl group, or a functional group represented by any of the following formulae:

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wherein R^{31} , R^{32} and R^{33} each represents a hydrogen atom, an alkyl group, an aryl group, an alkynyl group or an alkenyl group and arbitrary two of R^{26} to R^{30} may form a ring.

The inventive step is the lithographic printing plate precursor comprising said hydrophobic high molecular compound having the recited functional groups of formula (1) or (2) and the recited onium salt groups of a sulfonium, iodonium or a diazonium. The closest prior art reference used in a rejection was to PAPPAS et al which disclosed an adduct of a diazonium resin having pendant diazonium groups with sulfonated acrylic copolymer having sulfonated groups. The claims as recited require the counter cation to be a sulfonium, iodonium or diazonium as exemplified by formula (7) with a hydrophobic high molecular weight compound having functional groups as recited. The diazo resin does not meet this formula as recited in PAPPAS et al wherein the claims indicate that the diazonium compound is an aromatic

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compound having the recited functional groups or those groups as recited defined as R²⁶ to R³⁰. Because PAPPAS et al fails to anticipate or render obvious the claimed invention as recited in claim 5, this rejection is removed.

The references cited in the PTO-1449 by applicant have also been considered, however these references fail to anticipate or render obvious the claimed lithographic printing plate by failing to recite the hydrophobic high molecular weight compound having the stated onium cations.

Because none of the references of record anticipate or render obvious the claimed invention, claims 4 and 5, are seen as allowable and passed to issue.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

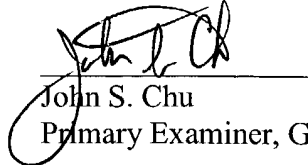
The fax phone number for the USPTO is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PMR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John S. Chu
Primary Examiner, Group 1700

J.Chu
July 11, 2004